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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,145	12/15/2003	Toshihisa Nihei	117582	9301
25944	7590	11/16/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			NGUYEN, CUONG H	
			ART UNIT	PAPER NUMBER
			3661	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/734,145

Applicant(s)

NIHEI ET AL.

Examiner

CUONG H. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- * Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/15/03
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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Status of the claims

1. Claims 1-9 are currently pending.

Drawing

2. This application has been filed with drawings submitted on 12/15/2003, and they are accepted for examinations.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Onogi et al. (US Pat. 5,878,365).

A. As to claims 1, 7, 9: Onogi et al. teach a vehicular antiskid control apparatus comprising:

- a first controller that estimates whether road surface friction coefficients corresponding to a right-side wheel and a left-side wheel of a vehicle are different from each other by using sensors (see Onogi et al., Figs. 3, 6A-6C show that different road surface friction coefficients are obtained for vehicle's controller estimations); and

a second controller that reduces a fluctuation in a brake pressure of a higher-friction coefficient road surface (see Onogi et al., claim 17, 19, 27, 33, and 1:24-29, 3:6-15, 25-34, 55-65, caused by execution of an antiskid control on that wheel if it is determined by the first controller that the road surface friction coefficients corresponding to the right-side wheel and the left side wheel are different from each other (see Onogi et al., 2:7-25).

B. As to claims 2-5: Onogi et al. also teach a vehicular antiskid control apparatus, wherein the second controller controls the brake pressure of the higher-friction coefficient road surface side wheel in a pre-set specific pressure increase/decrease or vary pattern so that an amount of increase/decrease of brake pressure caused by the antiskid control is reduced (see Onogi et al., 3:6-15, and 3:25-34).

C. As to claim 6: Onogi et al. also teach a vehicular antiskid control apparatus, wherein if the antiskid control is being executed on a lower-friction coefficient road surface side wheel, of the right-side wheel and the left-side wheel, and a condition for starting an in-antiskid control yaw control on a higher-friction coefficient road surface side wheel is met, the second controller reduces the fluctuation in the brake pressure of the higher-friction coefficient road surface side wheel (see Onogi et

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al., Figs. 14-15, col.6:39-51 and claims 17, 19, 27, 33, col. 1:24-29).

D. As to claim 8: Onogi et al. inherently teach a vehicular antiskid control apparatus, wherein the right-side wheel and the left-side wheel are front wheels of the vehicle (see Onogi et al., Figs. 4-5).

Therefore, Onogi et al. teaches a vehicle's control apparatus, and an antiskid method comprising all claimed limitations.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 703-305-4553. The examiner can normally be reached on 7am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 703-305-8233. The fax phone number for the organization where this application is assigned is 703-305-7687.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cuong H. Nguyen

CHN
CUONG H. NGUYEN
Primary Examiner
Art Unit 3661